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UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

CHARLES CLARK,

Defendant

No. 22-cr - 100-01- SE

INFORMATION

The United States Attorney Charges:

COUNT ONE

[18 U.S.C. § 1001(a)(2) – False Statements]

Background Information

1. The United States Small Business Administration (“SBA”) is an executive-branch agency of the United States government that provides support to entrepreneurs and small businesses.
2. In or around March 2020, the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act was enacted to provide emergency financial assistance to the millions of Americans suffering adverse economic effects caused by the COVID-19 pandemic. The CARES Act established several new temporary programs and expanded existing programs, including programs created or administered by the SBA.
3. One source of relief provided by the CARES Act was the Economic Injury Disaster Loan (“EIDL”) program, an SBA program that provided low-interest financing to small businesses, renters, and homeowners in regions affected by declared disasters.

4. The CARES Act authorized the SBA to provide EIDLs to eligible small businesses experiencing substantial financial disruptions due to the COVID-19 pandemic. In addition, the CARES Act authorized the SBA to issue advances to small businesses, known as Economic Injury Disaster Grants (EIDGs). The advances did not need to be repaid.

5. To obtain an EIDL and/or EIDG, a qualifying business was required to apply to the SBA and provide information about its operations, such as the number of employees and the entity's gross business revenues and cost of goods sold in the twelve months prior to January 31, 2020. The amount of the loan, if approved, was determined based, in part, on the information provided concerning the number of employees, gross revenue, and cost of goods.

6. Any funds issued under an EIDL or EIDG were issued directly by the SBA. EIDL funds could be used for payroll expenses, sick leave, production costs, and business obligations, such as debts, rent, and mortgage payments. EIDL funds could not be used for construction.

The Offense

7. On or around July 15, 2020, in the District of New Hampshire and elsewhere, the defendant,

CHARLES CLARK,

knowingly and willfully made a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the SBA, a federal agency within the executive branch of the United States Government. Specifically, the defendant knowingly and willfully submitted an EIDL application falsely claiming to be an independent contractor in the "Hair & Nail Salon" industry to obtain CARES Act funds he was not entitled to receive.

All in violation of Title 18, United States Code, Section 1001(a)(2).

DATED: August 30, 2022

JANE E. YOUNG
United States Attorney

/s/ Alexander S. Chen
Alexander S. Chen
Special Assistant United States Attorney